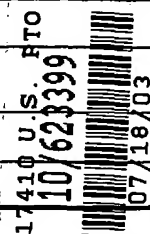


**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

|                        |                              |
|------------------------|------------------------------|
| Attorney Docket No.    | 58550.US/1720.0              |
| First Named Inventor   | David Watermeier et al.      |
| Title                  | AMNIOTIC MEMBRANE PERFORATOR |
| Express Mail Label No. | EV 327 364 458 US            |

**APPLICATION ELEMENTS**  
See MPEP Chapter 600 concerning utility patent application contents.**ADDRESS TO:** Commissioner for Patents  
Mail Stop PATENT APPLICATION  
P.O. Box 1450  
Alexandria, VA 22313-1450

- |   |                                     |   |                  |
|---|-------------------------------------|---|------------------|
| 1 | <input checked="" type="checkbox"/> | Fee Transmittal Form (e.g. PTO/SB/17)<br>(Submit an original and a duplicate for fee processing)  |                  |
| 2 | <input type="checkbox"/>            | Applicant claims small entity status  |                  |
| 3 | <input checked="" type="checkbox"/> | Specification   | [Total Pages 8]  |
| 4 | <input checked="" type="checkbox"/> | Drawing(s) (35 U.S.C 113)   | [Total Sheets 3] |
| 5 |                                     | Oath or Declaration   | [Total Pages 2]  |
|   | a.                                  | <input checked="" type="checkbox"/> UN-executed (original or copy)  |                  |
|   | b.                                  | <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))   |                  |
|   | i.                                  | <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b><br>Signed statement attached deleting inventor(s) named in<br>the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). |                  |
| 6 | <input type="checkbox"/>            | Application Data Sheet. See 37 C.F.R. 1.76  |                  |
| 7 | <input type="checkbox"/>            | CD-ROM or CD-R in duplicate, large table or<br>Computer Program (Appendix)  |                  |
| 8 |                                     | Nucleotide and/or Amino Acid Sequence Submission<br>(if applicable, all necessary)  |                  |
|   | a.                                  | <input type="checkbox"/> Computer Readable Form (CRF)   |                  |
|   | b.                                  | Specification Sequence Listing on:  |                  |
|   |                                     | i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or   |                  |
|   |                                     | ii. <input type="checkbox"/> paper  |                  |
|   | c.                                  | <input type="checkbox"/> Statement verifying identity of above copies   |                  |

**ACCOMPANYING APPLICATION PARTS**

- |    |                                     |   |   |
|----|-------------------------------------|---|---|
| 9  | <input type="checkbox"/>            | Assignment Papers (cover sheet & document(s))   |   |
| 10 | <input type="checkbox"/>            | 37 CFR 3.73(b) Statement<br>(when there is an assignee)   | <input type="checkbox"/> Power of Attorney          |
| 11 | <input type="checkbox"/>            | English Translation Document (if applicable)  |   |
| 12 | <input type="checkbox"/>            | Information Disclosure<br>Statement (IDS)/PTO-1449  | <input type="checkbox"/> Copies of IDS<br>Citations |
| 13 | <input type="checkbox"/>            | Preliminary Amendment   |   |
| 14 | <input checked="" type="checkbox"/> | Return Receipt Postcard (MPEP 503)<br>(Should be specifically itemized)   |   |
| 15 | <input type="checkbox"/>            | Certified Copy of Priority Document(s)<br>(if foreign priority is claimed)  |   |
| 16 | <input checked="" type="checkbox"/> | Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i).<br>Applicant must attach form PTO/SB/35 or its equivalent |   |
| 17 | <input type="checkbox"/>            | Other:  |   |

**18. If a CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment:☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Prior application information: Examiner

Group / Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

Customer No. 000408 or Bar Code Label (Insert Customer No. or Attach bar code label here) or Correspondence address below

|         |                               |           |              |          |              |
|---------|-------------------------------|-----------|--------------|----------|--------------|
| Name    | LUEDEKA, NEELY & GRAHAM, P.C. |           |              |          |              |
| Address | P.O. Box 1871                 |           |              |          |              |
| City    | Knoxville                     | State     | Tennessee    | Zip Code | 37901        |
| Country | U.S.                          | Telephone | 865-546-4305 | Fax      | 865-523-4478 |


|                   |               |                             |               |
|-------------------|---------------|-----------------------------|---------------|
| Name (Print/Type) | ROBERT O. FOX | Registration No. (Attorney) | 34,165        |
| Signature         |               | Date                        | July 18, 2003 |

Approved for use through 10/31/2002. OMB 0651-0031  
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of  
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|  |                      |                              |
|--|----------------------|------------------------------|
| <b>REQUEST AND CERTIFICATION<br/>         UNDER<br/>         35 U.S.C. 122(b)(2)(B)(i)</b> | First Named Inventor | David WATERMEIER et al.      |
|  | Title                | AMNIOTIC MEMBRANE PERFORATOR |
|  | Atty Docket Number   | 58550.US / 1720.0            |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

July 18, 2003  
 Date

  
 Signature

Typed or Printed Name: ROBERT O. FOX

Registration No. 34,165

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this non-publication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application. (35 U.S.C. 122(b)(2)(B)(iii)).**

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:**

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

Complete If Known

Application Number

Filing Date

July 18, 2003

First Named Inventor

David Watermeier et al.

Examiner Name

Group / Art Unit

TOTAL AMOUNT OF PAYMENT

(\$). 750.

Attorney Docket No.

58550.US/1720.0

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account No. 12-2355  
Deposit Account Name:  
LUEDEKA, NEELY & GRAHAM

- ☒ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17.

2. ☒ Payment Enclosed: Check No. 48816

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 101          | 750      | 201          | 375      | Utility filing fee     | 750.     |
| 106          | 330      | 206          | 165      | Design filing fee      |          |
| 107          | 520      | 207          | 260      | Plant filing fee       |          |
| 108          | 750      | 208          | 375      | Reissue filing fee     |          |
| 114          | 160      | 214          | 80       | Provisional filing fee |          |
| SUBTOTAL (1) |          |              |          | (\$)                   | 750.     |

### 2. EXTRA CLAIM FEES

Extra Fee from Claims below

Total Claims 5 - 20\*\* = 0 X 0 = 0

Independent Claims 2 - 3\*\* = 0 X 0 = 0

Multiple Dependent Claims X =

\*\*or number previously paid, if greater.

| Large Entity |          | Small Entity |          | Fee Description                   | Fee Paid |
|--------------|----------|--------------|----------|-----------------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                                   |          |
| 103          | 18       | 203          | 9        | Claims in excess of 20            |          |
| 102          | 84       | 202          | 42       | Independent claims in excess of 3 |          |
| 104          | 280      | 204          | 140      | Multiple dependent claim          |          |

SUBTOTAL (2)

(\$) 0

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity        |          | Small Entity |          | Fee Description  | Fee Paid |
|---------------------|----------|--------------|----------|--|----------|
| Fee Code            | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 105                 | 130      | 205          | 65       | Surcharge - late filing fee or oath  |          |
| 127                 | 50       | 227          | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139                 | 130      | 139          | 130      | Non-English specification  |          |
| 115                 | 110      | 215          | 55       | Extension for reply within first month                                     |          |
| 116                 | 400      | 216          | 200      | Extension for reply within second month                                    |          |
| 117                 | 920      | 217          | 460      | Extension for reply within third month                                     |          |
| 118                 | 1,440    | 218          | 720      | Extension for reply within fourth month                                    |          |
| 128                 | 1,960    | 228          | 980      | Extension for reply within fifth month                                     |          |
| 119                 | 320      | 219          | 160      | Notice of Appeal   |          |
| 120                 | 320      | 220          | 160      | Filing a brief in support of appeal  |          |
| 121                 | 280      | 221          | 140      | Request for oral hearing   |          |
| 138                 | 1,510    | 138          | 1,510    | Petition to institute a public use proceeding                              |          |
| 140                 | 110      | 240          | 55       | Petition to revive - unavoidable   |          |
| 141                 | 1,280    | 241          | 640      | Petition to revive - unintentional   |          |
| 142                 | 1,280    | 242          | 640      | Utility issue fee (or reissue)   |          |
| 143                 | 460      | 243          | 230      | Design issue fee   |          |
| 144                 | 620      | 244          | 310      | Plant issue fee  |          |
| 122                 | 130      | 122          | 130      | Petitions to the Commissioner  |          |
| 123                 | 50       | 123          | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 126                 | 180      | 126          | 180      | Submission of Information Disclosure Statement                             |          |
| 581                 | 40       | 581          | 40       | Recording each patent assignment per property (times number of properties) |          |
| 146                 | 740      | 246          | 370      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| Other fee (specify) |          |              |          |  |          |
| SUBTOTAL (3)        |          |              |          | (\$)   | 0        |

\*Reduced by Basic Filing Fee Paid

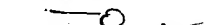
## SUBMITTED BY

Typed or Printed Name

Robert O. Fox

Registration No. 34,165

Signature



Date July 18, 2003